

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
THE ESTATE OF MICHAEL HEISER, deceased,
et al.,

Petitioners,
v.

11-CV-1601 (PKC/MHD)

THE BANK OF TOKYO MITSUBISHI UFJ, NEW
YORK BRANCH,

Respondent.
-----X

**NOTICE OF JOINT MOTION TO
ESTABLISH PROCEDURES FOR
SERVICE OF PROCESS UPON WIRE
TRANSFER PARTIES AND
ACCOUNT HOLDERS**

PLEASE TAKE NOTICE that (1) the Estate of Michael Heiser, deceased; (2) Gary Heiser; (3) Francis Heiser; (4) the Estate of Leland Timothy Haun, deceased; (5) Ibis S. Haun; (6) Milagritos Perez-Dalis; (7) Senator Haun; (8) the Estate of Justin R. Wood, deceased; (9) Richard W. Wood; (10) Kathleen M. Wood; (11) Shawn M. Wood; (12) the Estate of Earl F. Cartrette, Jr., deceased; (13) Denise M. Eichstaedt; (14) Anthony W. Cartrette; (15) Lewis W. Cartrette; (16) the Estate of Brian McVeigh, deceased; (17) Sandra M. Wetmore; (18) James V. Wetmore; (19) the Estate of Millard D. Campbell, deceased; (20) Marie R. Campbell; (21) Bessie A. Campbell; (22) the Estate of Kevin J. Johnson, deceased; (23) Shyrl L. Johnson; (24) Che G. Colson; (25) Kevin Johnson, a minor, by his legal guardian Shyrl L. Johnson; (26) Nicholas A. Johnson, a minor, by his legal guardian Shyrl L. Johnson; (27) Laura E. Johnson; (28) Bruce Johnson; (29) the Estate of Joseph E. Rimkus, deceased; (30) Bridget Brooks; (31) James R. Rimkus; (32) Anne M. Rimkus; (33) the Estate of Brent E. Marthaler, deceased; (34) Katie L. Marthaler; (35) Sharon Marthaler; (36) Herman C. Marthaler III; (37) Matthew Marthaler; (38) Kirk Marthaler; (39) the Estate of Thanh Van Nguyen, deceased; (40) Christopher R. Nguyen; (41) the Estate of Joshua E. Woody, deceased; (42) Dawn Woody; (43) Bernadine R. Beekman; (44) George M. Beekman; (45) Tracy M. Smith; (46) Jonica L. Woody; (47) Timothy Woody; (48) the Estate of Peter J.

Morgera, deceased; (49) Michael Morgera; (50) Thomas Morgera; (51) the Estate of Kendall Kitson, Jr., deceased; (52) Nancy R. Kitson; (53) Kendall K. Kitson; (54) Steve K. Kitson; (55) Nancy A. Kitson; (56) the Estate of Christopher Adams, deceased; (57) Catherine Adams; (58) John E. Adams; (59) Patrick D. Adams; (60) Michael T. Adams; (61) Daniel Adams; (62) Mary Young; (63) Elizabeth Wolf; (64) William Adams; (65) the Estate of Christopher Lester, deceased; (66) Cecil H. Lester; (67) Judy Lester; (68) Cecil H. Lester, Jr.; (69) Jessica F. Lester; (70) the Estate of Jeremy A. Taylor, deceased; (71) Lawrence E. Taylor; (72) Vickie L. Taylor; (73) Starlina D. Taylor; (74) the Estate of Patrick P. Fennig, deceased; (75) Thaddeus C. Fennig; (76) Catherine Fennig; (77) Paul D. Fennig; and (78) Mark Fennig (collectively, the “**Heisers**”), by their undersigned attorneys DLA Piper LLP (US), and The Bank of Tokyo Mitsubishi UFJ, New York Branch (the “Respondent”), by its undersigned attorneys, will and do hereby move for the entry of an order establishing the procedures for service of process upon wire transfer parties and account holders who may claim an interest in certain assets held by the Respondent which have been blocked pursuant to regulations of the Office of Foreign Assets Control that may be subject to execution in satisfaction of a judgment in the amount of \$591,089,966.00 entered in favor of the Heisers by the United States District Court for the District of Columbia on December 22, 2006, as supplemented by a judgment entered September 30, 2009 (collectively, the “Judgment”), in consolidated cases captioned Heiser v. Iran (Case No. 00-CV-2329 RCL) and Campbell v. Iran (Case No. 01-CV-2104 RCL).

The motion is supported by the accompanying Memorandum of Law in Support of this Motion.

Dated: New York, New York
August 10, 2011

/s/ Barbara L. Seniawski
Cary B. Samowitz
Barbara L. Seniawski
DLA Piper LLP (US)
1251 Avenue of the Americas, 27th Floor
New York, New York 10020-1104
Telephone: 212-335-4659
Facsimile: 212-884-8459
cary.samowitz@dlapiper.com
barbara.seniawski@dlapiper.com

and

Richard M. Kremen (Md. Fed. Bar No. 00532)
Dale K. Cathell (Md. Fed. Bar No. 26924)
David B. Misler (Md. Fed. Bar No. 28828)
DLA PIPER LLP (US)
6225 Smith Ave.
Baltimore, MD 21209
Telephone: 410-580-3000
Facsimile: 410-580-3001
Richard.kremen@dlapiper.com
Dale.cathell@dlapiper.com
David.misler@dlapiper.com

*Attorneys for Petitioners Estate of Michael
Heiser, et al.*

Dated: New York, New York
August 10, 2011

/s/ Karl Geercken
Karl Geercken
Alston & Bird LLP
90 Park Avenue
New York, NY 10016
Telephone: 212-210-9471
Facsimile: 212-210-9444
karl.geercken@alston.com

Attorneys for the Respondent

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
THE ESTATE OF MICHAEL HEISER, deceased,
et al.,

Petitioners,
v.

11-CV-1601 (PKC/MHD)

CERTIFICATE OF SERVICE

THE BANK OF TOKYO MITSUBISHI UFJ, NEW
YORK BRANCH,

Respondent.
-----X

I, Barbara L. Seniawski, Esq., an attorney admitted to practice in the State of New York and before this Court, under penalty of perjury, certify that on the 10th day of August, 2011, true and correct copies of the following documents were provided to the persons listed in the attached Service List, by the Court's CM/ECF electronic filing notification:

- (1) Notice of Joint Motion to Establish Procedures for Service of Process Upon Wire Transfer Parties and Account Holders (the "Motion"); and
- (2) Memorandum in Support of the Joint Motion and Exhibit A thereto.

Dated: New York, New York
August 10, 2011

/s/ Barbara L. Seniawski
Barbara L. Seniawski
DLA Piper LLP (US)
1251 Avenue of the Americas, 27th Floor
New York, New York 10020-1104
Telephone: 212-335-4500
Facsimile: 212-884-4501
barbara.seniawski@dlapiper.com

*Attorneys for Petitioners Estate of Michael
Heiser, et al.*

SERVICE LIST

Karl Geercken
Alston & Bird LLP
90 Park Avenue
New York, NY 10016-1387
212-210-9471
Fax: 212-922-3931
karl.geercken@alston.com